

# **Exhibit 1**

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

IN RE: APPLICATION OF OMAR  
ALGHANIM FOR AN ORDER TO  
TAKE EXPEDITED DISCOVERY  
FOR USE IN FOREIGN  
PROCEEDING PURSUANT TO 28  
U.S.C. § 1782

Misc. Action No. 1:21-mc-00167-LTS

**[PROPOSED] ORDER GRANTING APPLICATION  
FOR DISCOVERY PURSUANT TO 28 U.S.C. § 1782**

This matter comes before the Court by an application for discovery pursuant to 28 U.S.C. § 1782 (the “Application”) filed by Omar Alghanim. Having reviewed the Application, Applicant’s Memorandum of Law, the Declaration of Robert Van Kirk filed February 1, 2021 and exhibits thereto, the Declaration of Bader El Jeaan filed February 1, 2021, and the Declaration of Omar Alghanim filed February 1, 2021 and exhibit thereto, the Court is satisfied that the production of documents and testimony is warranted pursuant to 28 U.S.C. § 1782, and the Court hereby ORDERS as follows:

1. The Application is GRANTED.
2. Applicant is authorized to issue and serve a subpoena on Milbank LLP for the production of the following documents:
  - a. Any non-privileged Documents and Communications in your possession, custody or control concerning or relating to the document entitled Mutual Settlement and Release Agreement, dated November 28, 2019 and containing signatures for Kutayba Yousef Ahmed Alghanim and Omar Kutayba Alghanim (the “Mutual Settlement and Release Agreement”).

- b. Any non-privileged Documents and Communications concerning or relating to the negotiation and/or execution of the Mutual Settlement and Release Agreement.
  - c. Any non-privileged Documents and Communications concerning or relating to Milbank's knowledge of the facts and/or circumstances relating to the matters or issues covered by the Mutual Settlement and Release Agreement, including but not limited to the Mutual Settlement and Release Agreement itself.
  - d. Any non-privileged Documents and Communications in your possession, custody or control relating to any email received by David J. Stoll and purporting to be from Kutayba Yousef Ahmed Alghanim on or about November 28, 2019 and concerning or attaching the Mutual Settlement and Release Agreement, including but not limited to the email itself.
  - e. All documents evidencing or relating to the retention of Milbank by either Kutayba Alghanim or Omar Alghanim, whether individually or jointly, on any matter between January 1, 2016 and the present.
3. Milbank LLP shall produce the documents requested in the above subpoena within twenty-one (21) days of service of the subpoena and as required under the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern and Eastern Districts of New York.
4. Applicant is authorized to issue and serve a subpoena on Milbank LLP for testimony of the following topics:

- a. Any non-privileged Documents and Communications in your possession, custody or control concerning or relating to the document entitled Mutual Settlement and Release Agreement, dated November 28, 2019 and containing signatures for Kutayba Yousef Ahmed Alghanim and Omar Kutayba Alghanim (the “Mutual Settlement and Release Agreement”), including but not limited to matters pertaining to the negotiation and execution of the document.
  - b. Milbank’s knowledge of the facts and circumstances concerning the Mutual Settlement and Release Agreement.
  - c. The subject matter and authenticity of any document produced by you in response to the document requests set forth in Appendix A to the subpoena for documents served concurrently with this subpoena.
  - d. The matters on which Milbank has been retained by Omar Alghanim and/or Kutayba Alghanim, either individually or jointly.
  - e. All steps and actions taken by you to identify, locate, and produce all documents and communications responsive to any of the document requests set forth in Appendix A to the subpoena for documents served concurrently with this subpoena.
5. Milbank LLP shall supply the testimony requested in the above subpoena within thirty (30) days of service of the subpoena and as required under the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern and Eastern Districts of New York.

6. Until further Order by this Court, Milbank LLP shall preserve documents and evidence, electronic or otherwise, in its possession, custody or control that contain information potentially relevant to the subject matter of Applicant's document requests and requests for testimony as listed in this Order.
7. The Court shall retain jurisdiction over this matter for the purpose of enforcing this Order and assessing any supplemental request for discovery assistance that may be requested by Applicant.
8. A copy of this Order shall be served with each discovery demand.

SO ORDERED

Dated: New York, New York

\_\_\_\_\_, 2021

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UNITED STATES DISTRICT JUDGE